

TERRELL COUNTY BOARD POLICY
Complaints and Grievances Procedures

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The school system has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity. The purpose of administrative review procedures is to serve, at the lowest possible level, proper and equitable solutions to complaints and grievances, and to guarantee orderly succession of procedures within which solutions may be pursued. It shall be incumbent upon all complainants to follow these procedures to settle grievances.

Procedure:

1. Since it is important to good relationships that grievances be processed as rapidly as possible, every effort will be made by all parties to expedite the following process.
2. If a decision at Step 1 is not appealed to the next the procedure within the time limit specified, the grievance will be deemed to be discontinued and further appeal shall be barred; however, another complaint may be submitted upon reoccurrence of the grievance.
3. Except for informal decisions at Step 1, all decisions shall be rendered in writing at each step of the review procedure, setting forth facts, reasons, and conclusions for decisions. Both parties shall agree that the proceedings will be kept confidential as may be appropriate. The complaint must be in writing and signed.
4. The failure of an administrator to communicate his/her decisions to the complaint within the specified time limit shall permit the complainant to proceed to the next step in the administrative review procedure.

Step 1 – Informal

The complainant should hold an informal discussion with or complain to a neutral party or the official designee in an effort to resolve the problem informally. The official should permit the complainant to state his/her position, and, if necessary, make inquiry of the complaint. If possible, the principal or immediate supervisor can resolve the problem informally. The complainant may have a parent, friend, school official or teacher present.

Step 2 – Formal

If as a result of the informal discussion, the matter is not resolved, the complainant shall initiate in writing to the school principal or immediate supervisor within five days after the initial meeting, giving the full details of his/her grievance.

The principal or immediate supervisor shall communicate his decision to the complainant, in writing, within three schools days after receipt of the written grievance.

Step 3

If the grievance remains unsolved, no later than five school days after receipt of the decision at Step 2, the complainant may appeal it to the superintendent. The appeal must be made in writing and must give details as to why the decision was unsatisfactory.

The superintendent will conduct a thorough investigation of the charge and forward a written reply to the aggrieved person. The superintendent shall give his decision in writing to the complainant within ten days after submission of the appeal. The reply will include proof that denies the charge or procedures to be followed to remedy a charge that is granted.

Step 4

If the grievance is not resolved at Step 3, the complainant may, no later than ten school days after receipt of the superintendent's decision, appeal to the full board of education. The request shall be made in writing and all papers relating to the grievance shall be attached. The complainant must explain who was discriminated against; in what way; by whom or by what institution, when the discrimination took place; who was harmed, who can be contacted for further information; the name, address, and telephone number of the complainant and recipient; and as much background information as possible about the alleged violation.

Within ten school days after receipt of an appeal, the full board of education shall hold a hearing with all parties concerned, present. The hearing shall be conducted in an executive session providing an opportunity for the complainant or the complainant's representative, or both, to present evidence, including an opportunity to question parties involved.

The board of education shall issue a decision in writing to all parties concerned in a period not to exceed thirty (30) days from the date of filing the complaint.

Appeal:

The complainant has the right to appeal the final resolution of the local board of education within thirty (30) days after receipt of the written decision.

The appeal shall be addressed to the State Superintendent of Schools in writing. It shall include a copy of the original complaint with the unresolved item(s) clearly identified.

Anyone who believes there has been an act of discrimination may file a written and signed complaint with the Office of Civil Rights, U.S. Department of Education. A complaint should be sent to the Atlanta Regional Office, PO Box 1705, Atlanta GA 30301.

The complaint must also be filed within one hundred (100) days of the date the alleged discrimination, unless the time for filing is extended, for good cause by the Regional Civil Rights Director.

All complaints and grievances concerning violations should be directed to:
Superintendent of Terrell County Schools
PO Box 151
Dawson, GA 39842

Complaints should be addressed to: Principal or Person directly responsible for supervision and then to superintendent.

Complaints with regard to the operation or functioning of any phase of the entire system will be referred to the person or persons directly responsible for its supervision before going through appropriate channels to those with higher authority. The complaint should be filed in writing, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations and an explanation attached which indicated what steps have been taken by the principal to resolve it before forwarding it to the Superintendent.

The Principal/Supervisor/Superintendent will review the complaint and attempt to resolve it to the complainant's satisfaction. Unresolved complaints shall then be referred to the Board of Education by the Superintendent for review at the next regularly scheduled meeting. Complaints shall be acted on promptly and appropriate action taken within five days unless it must be resolved by the Board.

A complaint with regard to regulatory violation, misapplication or a misinterpretation of statutes or regulations of Title I, ESEA, or of applicable provisions of the General Education Provisions Act in connection with programs under those Titles and Chapters shall be filed in writing with the Board of Education through the Superintendent. It must include the names and addresses of the persons or organizations initiating the complaint as well as a complete description of the alleged violation. The Board shall issue a decision in writing to all parties concerned in a period not to exceed thirty days from the date of filing the complaint even if it means calling a special meeting of the Board. Appeals to the State Board of Education must be made within thirty days of receipt of the written decision of the Local Board. The appeal shall be addressed to the State Superintendent of Schools in writing and include a copy of the original complaint with the unresolved item(s) clearly identified.

All available evidence shall be presented to the Board and the complainant granted an opportunity to appear before the Board in person when it reviews the evidence and reaches a decision regarding any complaint. The complainant has the right to present evidence of his/her own, to be represented by an attorney, and to question the parties involved. The action of the Board shall be final in so far as the local Board is concerned.